

DOWD, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Gwen Gamblin, et al.,	)	
	)	CASE NO. 5:11 CV 927
Plaintiffs,	)	
	)	
v.	)	<u>JUDGMENT ENTRY</u>
	)	
City of Akron, et al.,	)	
	)	
Defendants.	)	
	)	

For the reasons contained in the Memorandum Opinion and Order filed contemporaneously herewith, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that, defendants' motion for summary judgment is GRANTED in part and DENIED in part.

Defendants' motion as to plaintiffs' federal claims, Counts 1, 3 and 5, is GRANTED. Defendants' motion for summary judgment as to plaintiffs' claim for punitive damages in Count 4, to the extent plaintiffs' punitive damages claim relates to plaintiffs' federal claims, is GRANTED.

In the absence of any surviving federal claims, the Court declines to exercise jurisdiction over plaintiffs' remaining state claims. Accordingly, defendants' motion for summary judgment on plaintiffs' state claim for assault and battery, Count 2, is DENIED as moot, and Count 2 is DISMISSED WITHOUT PREJUDICE.

Further, defendants' motion for summary judgment as to plaintiffs' claim for punitive damages in Count 4, to the extent plaintiffs' punitive damages claim relates to plaintiffs' state law claim for assault and battery, is also DENIED as moot. Count 4, to the extent plaintiffs'

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punitive damages claim relates to plaintiffs' state law claim for assault and battery, is

DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED.

November 25, 2013  
Date

/s/ David D. Dowd, Jr.  
David D. Dowd, Jr.  
U.S. District Judge